



April 28, 2004

Les Christensen, Director
Bradbury Gallery
Arkansas State University
P.O. Box 2339
State University, AR 72467-2339

Re: Advisory Opinion #483-04-05

Dear Mr. Christensen:

This letter is in response to your request for an advisory opinion in accordance with §19-11-715(b) of the Arkansas Code annotated of 1987. Your request for an advisory opinion is based on the following facts:

- a) Members of the ASU faculty are nationally known artists and your organization would like to purchase works of art from them for permanent display.
- b) You are requesting an advisory opinion to determine whether such purchases would present an ethical conflict or violate Governor's Executive Order 98-04.

Governor's Executive Order #98-04 at Section 2(c)(1)(l) provides an exemption for disclosure of purchases of "works of art for museum and public display" for any \$25,000 or more. In addition, the State Procurement Law provides an exemption at ACA§19-11-203(14)(Z) for purchase of "works of art for museum and public display". Accordingly, the purchases may be made and no ethical conflict would occur.

This advisory opinion is issued in accordance with Arkansas Code Annotate §19-11-7415(b) and compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Act and EO 98-04.

Sincerely,

Richard A. Weiss
Director

cc: Joe Giddis
Carol Barnhill
Tom Gay, Office of Atty. Gen.